

REFUTATION OF MUFTI TAQI'S TELEVISION FATWA



**MUJLISUL ULAMA OF SOUTH AFRICA
P.O. BOX 3393
PORT ELIZABETH
6056
SOUTH AFRICA**

MUFTI TAQI USMAANI'S FATWA ON TELEVISION PICTURES

On the question of television, Mufti Taqi Usmaani expresses his personal view as follows:

“The images appearing on live programs or recorded programs on television are not the pictures in the strict sense envisaged in the Ahadih of the Holy Prophet, Sall-Allahu alayhi wasallam, unless they are printed in a durable form on paper or on any other object.”

Before we proceed to analyze the misconception which Mufti Taqi Saheb is propagating in the extraordinary attempt to legalize haraam television, it will be salubrious to cite what Hadhrat Mufti Muhammad Shafi (rahmatullah alayh) – august father of Mufti Taqi Saheb – averred on the type of dubious and deceptive argument which Mufti Taqi Saheb and the liberal scholars are peddling. Hadhrat Mufti Muhammad Shafi (rahmatullah alayh) in his response to the worn out argument which the liberal scholars of his time had presented for legalizing photography, wrote in his book, *Aalaat-e-Jadeedah (Modern Instruments)*:

“In the Saheeh Hadith Rasulullah (sallallahu alayhi wasallam) said: ‘In my Ummah there will be people who will change the name of liquor and consume it. They will publicly engage in music and singing. Allah Ta’ala will cause the earth to swallow them. He will transform some of them into apes and swines.’ ”

Today the Ummah has not restricted this (changing of names to legalize prohibitions) to liquor, but they have extended it to other haraam acts as well. Prohibitions of the Shariah are painted in the hues of modernity, given other names and adopted without hesitation. They labour under the notion that by this stratagem they have escaped Divine apprehension.

If these people reflect a bit, they will understand that instead of one sin, they have compounded it with another sin. One is the sin of committing the prohibited act, and the second sin is the elimination of all regret and abstention from repentance. Liquor is given fanciful names and legalized. Pictures are called photos and considered to be halaal. Ancient kinds of musical instruments are replaced by modern instruments which are said to be lawful. Riba is termed profit (dividend, etc.) and legalized. Bribery is described as a service charge and considered lawful.

و الي الله المشتكى و لا حول ولا قوة الا بالله العلي العظيم

“The complaint is lodged with Allah. There is no strength and no power but with Allah, The High, The Mighty.”
(End of Hadhrat Mufti Shafi’s comments)

The above comment is Hadhrat Mufti Muhammad Shafi’s introduction to his discussion of photography which the liberal, so-called enlightened scholars had proclaimed lawful on the basis that photo-pictures are reflections like mirror images, and *“are not the pictures in the strict sense envisaged in the Ahadith of the Holy Prophet”* – just as Mufti Taqi Usmaani is claiming today in his abortive bid to legalize television, video and digital pictures of people and animals.

What Mufti Taqi Saheb is saying today – the proof he tenders for the permissibility of television pictures – is old hat. The baseless image-reflection argument was debunked decades ago while Mufti Taqi Saheb was still under the supervision of his august father, Hadhrat Mufti Muhammad Shafi (rahmatullah alayh). It is an eternally lamentable pity that Mufti Taqi Saheb has veered so sharply and so violently from *Siraatul Mustaqeem* to follow the deviated ways of liberal scholars who in this era excel in the satanic art of legalizing prohibitions such as liquor, interest and

pictures. Devious, weird and spurious arguments are advanced to deceive and mislead unwary and ignorant people. A little reflection and scrutiny of the flimsy argument presented to legalize television will not fail to display the utter falsity and spurious nature of the proofs of the modernists.

Registering his complaint against the liberal scholars, Hadhrat Mufti Muhammad Shafi (rahmatullah alayh) said:

“Alas! My complaint is directed to those scholars who are not completely unaware of the Kitaab and Sunnah. Sometimes lost in their self-opinionated notions they appear to criticize even the Aimmah-e-Mujtahideen and the Salf-e-Saaliheen. Pictures have been proclaimed halaal by dubbing them photos.”

Then on the spurious basis that a reflection is utilized to make a photograph, the deviates declare that a photo is not a picture ‘as envisaged in the strict sense of the Ahadith’. The stupidity of this brainless argument should be manifest to all sincere persons even if they lack academic knowledge. Our book, *PHOTOGRAPHY, PICTURE-MAKING AND ISLAM* explains the absurdity and untenability of this silly argument that a photograph is not a picture. It is like saying half a dozen is not six. Our book on photography is available. Anyone desiring it may write for a copy.

The intellectual inversion and mental corruption of the modernist ‘scholars’ are truly mind boggling when viewed from an Imaani perspective. It is remarkably ludicrous and absurd to aver that a picture is not a picture if the method of its production changes. Coki pens did not exist during the time of Rasulullah (sallallahu alayhi wasallam). In terms of the warped logic and the weird hypothesis of Mufti Taqi and the liberal deviated scholars, a picture drawn with a coki pen should not be a picture ‘in the strict sensed envisaged in the Ahadith’. A picture produced with modern instruments of technology is not a picture in terms of their crooked logic. Effacing reality, the modernist scholars have made nomenclature the criterion to suit their *nafsaani* whims and fancies. A fanciful name which does not appear in the Qur’aan or

Hadith is considered adequate grounds for abrogating a Shar'i prohibition.

Adopting deliberate intellectual and spiritual blindness, the liberals fail to understand that the Shariah does not prohibit the method of manufacturing a substance. It prohibits the very substance on the basis of its inherent evils. Writing with a pen is a method. This method is not haraam. But the haraam picture produced by this method is haraam. Similarly the haraam picture produced by any other method which had existed or which has come into existence or which will still into existence, will remain haraam until the Day of Qiyaamah. The talk of 'not envisaged in the strict sense of the Ahadith' besides being weird drivel is blatant skulduggery employed deliberately and scandalously to mislead the servants of Allah Ta'ala.

The aforementioned complaint of Hadhrat Mufti Shafi (rahmatullah alayh) can be directed with precision to Mufti Taqi Usmani Saheb who has degenerated into the same rut of the modernist scholars (the sheikhs of the Middle Eastern countries) who had initiated the era of 'modern islam' several decades prior to Mufti Taqi Saheb appearing on the horizon. He now has become a muqallid of the sheikhs of modernity and liberalism. His argument lacks originality. He has simply tendered what the shiekhs of Azhar had propounded decades ago in their bid to legalize haraam pictures.

THE INTELLECTUAL FICTION

(1) *"The images appearing on live programs or recorded programs on television are not the pictures in the strict sense envisaged in the Ahadith unless they are printed in a durable form on paper or any other object."*

This fiction is Mufti Taqi's one and only 'daleel' (proof) for his fatwa of permissibility. This argument is similar to Zaid's argument for the permissibility of modern types of liquor. Zaid

says: *“The drinks of this time are not the liquor in the strict sense envisaged in the Ahadith unless they are made in the way in which they were manufactured during the time when the prohibition was sounded. Therefore, whisky, gin, vodka and the innumerable types of modern liquors are permissible.”*

Mufti Taqi's argument is also similar to Amr's argument in which he presents his 'daleel' for the permissibility of music. He says: *“The instruments of this era are not the musical instruments in the strict sense envisaged in the Ahadith....”*

Such arguments cannot befuddle and befool even ignorant Muslims who have some concern for the Deen. The type of puerility and futility which Mufti Taqi has presented serve only to assuage the kufr palates of such modernists and liberals whose incorrigible modernity has severely tarnished their very Imaan.

Almost all facets of Muslim life in this age are not the facets 'in the strict sense envisaged in the Ahaadith' of Rasulullah (sallallahu alayhi wasallam). The Qur'aan Majeed in its present Book form, the Ahaadith, the Musaajid, the methods of teaching the Deen, the houses in which we live, the garments we wear, the food we consume, the methods of shaving the beard, the methods of manufacturing immoral and skimpy female garb, the methods of committing theft and murder, the methods of acquiring interest, the ways of gambling, and the thousands of other aspects of life are all not the acts and aspects "in the strict sense envisaged in the Ahadith". But the *ahkaam* which applied to the Qur'aan Majeed fourteen centuries ago are applicable to the Sacred Book even in this age. The *ahkaam* of the date-palm Musjid of the era of the Rasool (sallallahu alayhi wasallam) have equal and precise applicability to the modern Musjid structures of this age. The laws which applied to primitive forms of interest apply even today to modern banking and the stock exchange. Similarly, all the rules and laws applicable during the age of Rasulullah (sallallahu alayhi

wasallam) apply today and will always apply regardless of a change in names and methods of production.

A picture remains a picture whether it is produced by hand, by the camera, by television, etc., and whether it is called a photo, a television picture a digital picture or any other shaitaani picture. The law of prohibition remains static and no amount of dishonest and devious mental gymnastics will confer Shar'i legality to something which Allah Azza Wa Jal has ordained haraam.

(2) Mufti Taqi claims that a picture is not a picture *“unless it is printed in a durable form on paper or on any object.”*

A picture is simply what every healthy brain understands. In this definition, a picture has two elements: Durability and Production on a surface/object. The mirror image is not covered by this definition. Although the image is naturally reproduced on a surface/object it has no durability.

The term ‘durability’ requires elucidation, for it has been presented in a misleading form. Durable in the meaning of the Shariah in the context of pictures means the *independent existence of an image*. In other words, the image does not rely on the object for its existence such as the image in a mirror which relies on the object in front of the mirror for its existence. If an object is placed in front of a mirror and left in its position for a thousand years, the image will remain in the mirror. But in the context of the meaning of ‘picture’ the element of durability will not be applicable because the image in the mirror has no independent existence. It is entirely reliant on the enduring presence of the object whose reflection it is. Thus, if a picture is destroyed a split second after it has been drawn with a pen, such picture will still come within the scope of durability. The speed of destruction or effacement of a picture does not negate the definition of a picture (*tasweer*). If a picture is destroyed or effaced electronically a thousandth of a second after its production, it will remain within the ambit of

durability since it has its independent existence, because after its production and transference onto a surface/object it is not reliant on the object from which it was produced. It has its independent existence, but due to the speed of its effacement it deceptively appears to the human eye that the television picture the viewer sees is the precise object which is being photographed or videoed or whatever the process may be called.

Mufti Taqi has the duty to show and prove that the television picture has no independent existence – independent of the object which is being filmed. He must prove to the Ummah that the television picture has no durability – no lasting nature – cannot be retained and reproduced on a surface or object and that it has no existence independent of the scene which the television screen depicts. The very recorded programs he has mentioned debunk his misconception of lack of durability and the absence of surface and object.

The claim that the picture which appears on the television screen is not a picture in the meaning of the Shariah is a grotesque lie fabricated to lead the servants of Allah Ta'ala into Jahannum. There is no basis in even technology for bolstering this absurd claim. Even the kuffaar who engineer the television images categorically state that the television image is a picture. It has durability. Besides the technical arguments (which shall soon be presented to prove that even in live programs the images are pictures, not reflections Insha'Allah), the very 'recorded programs' mentioned by Mufti Taqi (the films which are not live) unequivocally confirm the 'durable form of an object' which constitutes the fundamental basis of Mufti Taqi's definition of a picture.

Common sense is adequate for understanding that if the aspect of durability and the retention of the images on an 'object' are not attributes of television pictures, then reproduction in exactitude of the precise scenes enacted in the past would not have been

possible. A rehash or an entirely new enactment of similar scenes would have been the requisite for the television depiction. In recorded programs, the images are stored in durable form on surfaces and objects.

There is a vast and fundamental difference between the retained images in a recorded program and the reflections in a mirror or in water. While the reflections (the images) in a mirror are dependent for their existence on the presence of the reflected object, the images in the recorded program are not at all reliant for their existence and reproduction on the people, animals and scenes whose images have been acquired and translated by technology into durable forms on solid surfaces and objects. If a person walks away from the mirror, his mirror image vanishes into the realm of oblivion. Hence, looking in a mirror is lawful according to the Shariah. However, if tomorrow technology invents a mirror which retains the image even after the person has departed, then the retained image will be a picture (*tasweer*) in terms of the Shariah. It will no longer be classified as a reflected image depended for its existence on the presence of the object. The mirror picture will then simply be a picture produced by a new method. While the method will be permissible to produce lawful pictures, the haraam picture produced by the new method remains haraam. It will be a durable picture on a durable surface or object, fitting even the definition of Mufti Taqi.

WHAT IS TELEVISION

The definition of television given by the inventors and experts of this instrument is:

*“The electrical transmission of **pictures** in motion and the simultaneous electrical transmission of the accompanying sounds.” (Encyclopaedia Britannica)*

*“Simultaneous visual **reproduction** of scenes, objects, performances, etc.: vision of distant objects obtained thus.”
(Reader’s Digest Great Encyclopaedic Dictionary)*

The Encyclopaedia International explaining television says:

*“The unique feature that distinguishes television from radio is the **conversion** of an image into an electric current which is later **reconverted** to the original image.*

A picture ‘encoded’ in the form of a signal current is broadcast by a radio transmitter, picked up by the receiver’s antenna, and routed to the television screen where the original scene becomes visible.”

It is crass *jahaalat*, in fact compound ignorance (*jahl-e-muraqqab*) for any sincere scholar to aver that the pictures recorded and retained on a durable surface by way of television technology is like the mirror image. And, if the scholar, despite being aware of the spuriousness of this argument and understanding the difference, peddles it to entrap Muslims in haraam, then undoubtedly he is among the agents of shaitaan.

The Image

“The **illusion** of motion in television is produced by showing 30 **still pictures**, or **frames**, each second. Through persistence of vision the brain retains each **picture** until the next comes along. We are not aware of the fact that our eyes are really seeing a rapidly changing sequence of a large number of slightly different **still pictures**. Each **still picture** consists of about 250,000 **picture dots** of varying brightness which appear as if painted on the screen. This process is called scanning.”

(Encyclopaedia International)

“Scanning was accomplished electronically both in the camera-tube that observed the original scene and in the picture-tube that **reproduced** the scene in the receiver.

The way in which the charge on the signal plate varies in the course of time is therefore a **picture** in code. This picture signal can be reversed at the receiving end to **reproduce** the original scene.

The original **picture** is **reproduced** in a cathode-ray, or picture-tube, whose inner face is coated with a fluorescent material.....

In colour television three **pictures** are flashed on the television screen – one in each of the primary colours – and the result is a single **picture** in colour.....The colour images on the screen are true copies of the three images **produced** in the studio.”

(Encyclopaedia International)

Explaining the process of the production of the television picture, Encyclopaedia Britannica states: “This fundamental disparity is overcome in television by a process of image **analysis and synthesis**, whereby the scene to be televised is first translated into an electrical image, and the latter is then broken up into an orderly sequence of electrical impulses which are sent over the channel one after the other. At the receiver the impulses are translated back into a corresponding sequence of lights and shadows and these are **reassembled** in their correct positions on the viewing screen.

.....By the same token, it is then possible to **re-create** more than ten **complete pictures** per second and to simulate thereby the motion of the scene so that it appears to be continuous.....In practice, to depict rapid movement smoothly, it is customary to transmit from 25 to 30 **complete pictures** per second.....

As already noted, in modern practice the television image must be capable of being **dissected**, within a few hundredths of a second, into more than 100,000 **picture elements**. This implies that the electrical impulses corresponding to the **picture** elements must pass through the channel at a rate as high as several million per second.”

This explanation clearly establishes that the television picture is a reproduced picture, independent of the original scene. Viewers are seeing on the screen reconstructed and reproduced *pictures* of the original scene. They are not seeing the original scene. While in the

mirror a reflection of the original object is seen, on the television screen reproduced *pictures* of the original scene are depicted, not reflections. The difference therefore between the mirror image and the reconstructed pictures produced on the television screen should be conspicuous. It is like the difference between heaven and earth.

Both elements, durability and presentation on a surface/object, stated in the definition of the picture presented by Mufti Taqi are found in the television picture. There is no doubt whatsoever on the Shar'i status of the television image. It is a *picture* in terms of the Shariah. There is absolutely no basis for the claim that the television picture is not a picture "in the strict sense of the Ahadith".

(3) Mufti Taqi avers further: "*But the basic reason why Muslims are advised not to keep TV sets in their homes is that most of the programs broadcast on the TV channels contain impermissible elements.*"

This is another fallacy fabricated to open up the avenue for proclaiming television permissible. The fundamental reason for the *hurmat* (prohibition) of television is *pictography*. Without pictures (*Tasaaweer*) there is no television. Practically, television without pictures of animate objects is impossible although television depicting only inanimate pictures is a possibility in the imagination. Thus, even if the programs do not consist of any pornography, immorality and obscenity which are the salient features of TV programs, then too viewing television is *haraam* on account of the depiction of pictures of animate objects. But the assumption that in the current state of kuffaar domination and enslavement of Muslim minds and hearts by the process of western mental colonization, there could be television devoid of moral filth, is an unattainable dream.

Mufti Taqi cannot deny the preponderance of moral filth, pornography and immorality of television. The colossal moral

corruption and spiritual destruction wrought by television are undeniable realities. Even kuffaar with a sober moral disposition acknowledge the destructive role of television on the morals of society. But, Mufti Taqi with extreme short-sightedness, to say the least, recklessly opens the door of a grotesque *fitnah* by minimizing the evil and villainy of television with his averment: *“But the basic reason why Muslims are advised not to keep TV sets in their homes is that most of the programs broadcast on the TV channels contain impermissible elements.”*

The august and noble senior Ulama – our immediate predecessors – had not ‘advised’ Muslims to abstain from television. They proclaimed television *haraam*, giving the Ummah no choice and leaving no avenue open for the evil and immoral institution to creep into the fabric of Muslim society. But the modernist liberal scholars with their baseless arguments and spurious ‘*dalaa-il*’ are attempting to unravel the prohibition. The prohibition of television is not ‘advice’ to abstain. It is a major sin to view television. Added to the *haraam* pictures is the *haraam* immoral content of the programs.

Islamically speaking, the act of opening up the door of *fitnah* by advertising to all and sundry on the internet that television is not inherently *haraam* and that abstention from this satanic box is only ‘advisable’, is a monstrous misdeed totally unexpected of a senior Mufti even with liberal leanings. Assuming that there is any technical validity in the drivel which Mufti Taqi has tendered for the permissibility of television, then too, he acted with astonishing puerility and gross indiscretion by introducing technical arguments to laymen who lack understanding of the issues of *Hurmat li-zaatihi* and *Hurmat li-ghairhi*. But, since this assumption is highly erroneous, the only logical conclusion is that Mufti Taqi has sharply veered from the Path of the Ulama-e-Haqq and is engaging in exercises which foreshadow ruin for an already demoralized Ummah wallowing in corruption and degeneration.

The evils and vice of television are too numerous and stark to even consider any technical hypothesis presented for permissibility. The primary use of television is for viewing immorality. Mother, father, sons and daughters collectively sit glued to the eye of dajjaal relishing in zina of the eyes, zina of the ears and zina of the mind and heart viewing the haraam nudity and listening to the haraam music which the television disgorges. Given this indisputable fact, Mufti Taqi's attempt to offer a licence for permissibility is deplorable and unexpected of a Mufti who understands the importance and the gravity of issuing fatwas which the masses are likely to misunderstand, misinterpret and misuse for *nafsaani* gratification.

*“And on us is only to deliver the Clear Message.”
(Qur'aan)*

THE *ILLAT* FOR PROHIBITION OF PICTURES OF ANIMATE OBJECTS

The *Ahkaam* (Laws) of Islam are the product of Divine Wisdom. Every *hukm* (law) of the Shariah has its *illat* (rationale or reason). There is no idle sport and futility in the commands of Allah Ta'ala. While every law of the Shariah has its *illat*, it is not necessary that all the reasons of the laws are fathomable and comprehensible to human beings whose minds are created and limited in comprehension. The laws have wisdom, but it is Divine Wisdom, not human wisdom that underlies the *Ahkaam*. Muslims are required to know the *Ahkaam* and give practical expression to them. We are not required to know the rationale or the reasons for the laws.

While we understand some of the reasons, the rationale for the vast majority of the *Ahkaam* are hidden from us. Most of the reasons which the Ulama have tendered are not the product of *Wahi*. The *Ahkaam* are infallible, not the reasons and wisdoms which the Ulama explain. Just as there are cogent Divine Reasons for the prohibition of liquor, music and all evils, and just as there are valid Divine Reasons for there being 3 raka'ts in Maghrib, 2 in Fajr, and

reasons for the innumerable laws of Islam, there is valid Divine Rationale for the prohibition of pictures of animate objects.

Some reasons for the prohibition of pictures are based on *Wahi* (Revelation), and some on the wisdom of the purified and celestial intelligence of the Fuqaha and Auliya. But, the Muslim's abstention from the prohibitions does not hinge on his comprehension or even awareness of the wisdom and rationale underlying the haraam acts. It suffices for the *amal* (practice) of the Believer that an act is a command of Allah Ta'ala or a prohibition. There is no gainsaying that the prohibition of pictures of animate objects is based on sound and cogent reasons. Whatever these reasons are, they are not within the purview of the present dissertation. The current concern of this discussion is only to show that pictures of animate objects (human beings and animals) are haraam in the unanimous view and verdict of all Schools of Thought of Islam. On this issue there is absolutely no difference of opinion. This Consensus has come down to us from the era of Rasulullah (sallallahu alayhi wasallam).

In fact, even the modernist scholars of deviation are part of this *Ijma'* (Consensus). They too aver that pictures of animate objects are haraam. However, they deviate into deception and become the slaves of their carnal *nafs* in their futile and devilish effort to excise pictures produced by modern means from the definition of pictures (*Tasweer*). While the liberal scholars do not deny the unanimous prohibition of pictures, they stupidly and satanically try to hoodwink and mislead the masses with their baseless interpretation that a picture produced by the camera, television, video and other instruments of modern technology is not a picture. Everyone will be able to understand this absurdity.

The liberal deviates will undoubtedly acknowledge that Islam has cogent reasons for having prohibited pictures of animate objects. Without expounding these reasons, it is common cause that there are in fact reasons for the prohibition. Now, whatever the *illat* for

the prohibition is in hand drawn pictures or in painted pictures, that *illat* will also exist in pictures produced by modern means or any other means still to be invented in the future. In fact, the *illat* will exist to a greater degree in modern pictures because pictures produced by modern methods of technology are more 'realistic' in appearance than pictures made by primitive methods.

Among the *Asbaabul Hurmat* (Factors of Prohibition) of pictures of people and animals is Angelic Abhorrence. Rasulullah (sallallahu alayhi wasallam) said that the Angels of Rahmat do not enter a house wherein there are pictures. There is no logical, rational and intelligent reason, and no Shar'i reason to ludicrously trade the idea that while the Angels abhor hand drawn and painted pictures, they would not detest pictures produced by television, especially when television is today the Mother of all immorality. Only a man whose brains have been deranged by a Divine Act will peddle the notion that television pictures being of excellent and superb quality, unlike the inferior hand drawn images, are attractive to the Mala'ikah, hence they would freely enter homes wherein television pictures, video pictures, camera pictures and any other confounded haraam picture produced by any modern method of technology are displayed.

In the same way, all the Factors of Prohibition which exist in pictures produced by primitive methods, exist *par excellence* in pictures of superb material quality produced by television and other modern methods.

Khamr (grape wine) is haraam. Everyone is aware of this. There is most certainly an *illat* for the prohibition of *khamr*. Whatever that *illat* may be, it exists in the liquors of this age as well. By virtue of the commonality of the *illat*, all modern day liquor will also be haraam. Just as the 'strict sense of the Ahaadith' argument of Mufti Taqi cannot render whisky and vodka *halaal*, so too can it not render television pictures *halaal*. The Shariah's rationale for the prohibition of pictures of animate objects, exists to a greater degree in pictures produced by modern methods. Thus, television pictures are *haraam* without the slightest vestige of doubt. And Allah knows best.